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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,792	07/30/2003	Takeshi Kato	011350-314	9403

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EXAMINER

LIN, SHEW FEN

ART UNIT PAPER NUMBER

2166

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/629,792	Applicant(s) KATO, TAKESHI	
	Examiner Shew-Fen Lin	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5, 8, 13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5, 8, 13-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- a. This action is taken in response to amendment filed on 5/4/2006.
- b. Claims 5, 8, 13, and 14 are pending and claims 1-4, 6, 7, and 9-12 have been cancelled. Claims 5, 8, and 13 are independent claims.

Response to Remarks

Applicant's arguments with respect to claims 5, 8, 13 and 14 have been considered, but they are not deemed to be persuasive.

Regarding Applicant's arguments in page 6 that Blumberg does not teach or suggest "generating an enlarged image for thumbnail image in response to a request from the portable terminal" because Blumberg discloses that the scalable document is enlarged automatically and the enlarged document is retained in image server regardless of the user's request. Different scaled documents of each document occupy the image server on a persistent basis which required the image server to retain the large amount of image data. Such an approach is not as economical as the claimed subject matter. The Examiner respectfully disagrees.

First, the claim does recited how many copies of different scaled documents of each document should be retained in the image server to be economical. Furthermore, in light of specification, the thumbnail image can be stored in advance (page 33, paragraph [0126], lines 6-9), i.e., more than one scale of document (thumbnail and original) can be existed on a persistent basis.

Second, Blumberg discloses using multi-resolution tiled (MRT) image format to store resolution independent images. As such, an MRT format is redundant in that the reduced

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versions of the image can be generated from the original image data but are nevertheless stored in the file (column 7, lines 14-15, lines 22-28). Furthermore, Blumberg discloses a method for a user to request portions of an image at a specific resolution by sending an IIP (Internet Imaging Protocol) to the server (column 8, lines 49-51), and the image server process the IIP request, the server analyze the original image and generate a required image format (JPEG or GIF) with the required specification specifically the desired portion and dimension. (column 9, lines 13-16). Therefore, Blumberg discloses “an enlarged image generating part for generating an enlarged image for said thumbnail image in response to a request from client”.

Third, Blumberg discloses zooming the document to specify the desired portion and dimension (as demonstrate in Figures 4A/B/C). When a user zoom the document, the IIP request therewithin is sent to image server. Image server processes the images to execute the IIP command and transmits the generated image to document viewer (portable terminal) (column 11, lines 65-67, column 12, lines 1-4). Therefore, a user may zoom in a portion of thumbnail and request image server for the enlarged image, image server will generated the enlarged image based on the portion of thumbnail specified by the user (column 12, lines 18-28).

Therefore, the Examiner’s stance regarding the status of claim 5, 8, and 13, and all those claims depending on it, remains the same as stated in the previous Office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 5, 8, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Blumberg (US Patent 6,449,639).

As to claims 5, 13, and 14, Smith discloses a system with methods /means / system of a file storage device (server, Figures 1 and 2, item 1, paragraph [0020], lines 3-5) that is capable of communicating with a portable terminal (cellular phone, PDA, Figure 1, items 125, 119, paragraph [0021], lines 6-9), comprising:

a thumbnail image transmitting part for transmitting a thumbnail image for a specified file (compressed image or graphics to fit the display, paragraph [0037]) to said portable terminal in response to a request from said portable terminal;

an enlarged image generating part for generating an enlarged image for said thumbnail image in response to a request from said portable terminal (recall full length information flag, Figure 11B) ; and

an enlarged image transmitting part for transmitting the enlarged image generated by said enlarged image generating part to said portable terminal (sent the full length information to portable device, paragraph [0053]).

Smith does not explicitly disclose generating an enlarged image for said thumbnail image.

Blumberg discloses a method for a user to request portions of an image at a specific resolution by sending an IIP (Internet Imaging Protocol) to the server (column 8, lines 49-51), and the image server process the IIP request, the server analyze the original image and generate a required image format (JPEG or GIF) with the required specification specifically the desired portion and dimension. (column 9, lines 13-16). When a user zoom the document, the IIP request therewithin is sent to image server. Image server processes the images to execute the IIP command and transmits the generated enlarged image to document viewer (portable terminal) (Figure 4A/B/C, column 11, lines 57-67, column 12, lines 1-4, lines 18-28).

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Smith's disclosure to include zooming thumbnail as taught by Blumberg for the purpose of providing interactive zooming a portion of the page (column 12, lines 21-28,

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Blumberg). The skilled artisan would have been motivated to improve the invention of Smith per the above such that information can be easily previewed.

As to claim 8, Smith discloses a printing system, comprising:

a file storage device for storing a file (server, Figures 1 and 2, item 1, paragraph [0020], lines 3-5); a printing device (Figures 1 and 2, item 115, paragraph [0021], lines 4-5) communicable with said file storage device; and a portable terminal (cellular phone, PDA , Figure 1, items 125, 119, paragraph [0021], lines 6-9) communicable with said file storage device, wherein a file stored in said file storage device is printed by said printing device based on an instruction from said portable terminal (mobile device sends print request to printer for full length information, Figure 3C, item 311, Figure 7B, item 709, Figure 9B, item 939, paragraph [0024], paragraph [0027], lines 14-16, paragraph [0045], lines 14-21);

said file storage device including: a thumbnail image transmitting part for transmitting a thumbnail image for a specified file (compressed image or graphics to fit the display, paragraph [0037]) to said portable terminal in response to a request from said portable terminal; an enlarged image generating part for generating an enlarged image for said thumbnail image in response to a request from said portable terminal (recall full length information flag, Figure 11B) ; and an enlarged image transmitting part for transmitting the enlarged image generated by said enlarged image generating part to said portable terminal (sent the full length information to portable device, paragraph [0053]);

said portable terminal including: a display part for displaying the thumbnail image and the enlarged image received from said file storage device (Figure 11B, paragraph [0053]).

Smith does not explicitly disclose generating an enlarged image for said thumbnail image.

Blumberg discloses a method for a user to request portions of an image at a specific resolution by sending an IIP (Internet Imaging Protocol) to the server (column 8, lines 49-51), and the image server process the IIP request, the server analyze the original image and generate a required image format (JPEG or GIF) with the required specification specifically the desired portion and dimension. (column 9, lines 13-16). When a user zoom the document, the IIP request therewithin is sent to image server. Image server processes the images to execute the IIP command and transmits the generated enlarged image to document viewer (portable terminal) (Figure 4A/B/C, column 11, lines 57-67, column 12, lines 1-4, lines 18-28).

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Smith's disclosure to include zooming thumbnail as taught by Blumberg for the purpose of providing interactive zooming a portion of the page (column 12, lines 21-28, Blumberg). The skilled artisan would have been motivated to improve the invention of Smith per the above such that information can be easily previewed.

Conclusion

THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shew-Fen Lin whose telephone number is 571-272-2672. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shew-Fen Lin
Patent Examiner

Art Unit 2166
July 29, 2006


MOHAMMAD ALI
PRIMARY EXAMINER